

United States District Court

WESTERN DISTRICT OF WASHINGTON

ANTOLIN ANDREW MARKS

JUDGMENT IN A CIVIL CASE

v.

DE GUIA, et al.,

CASE NUMBER: C07-5667BHS

 Jury Verdict. This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

xx **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

The Court adopts the Report and Recommendation;

Defendant Pierce County Sheriff's motion to dismiss for lack of service is **DENIED**. The motion to dismiss the action for failure to state a claim is **GRANTED**. Plaintiff may not maintain a civil action collaterally challenging the legality of his current custody and an action of this nature must proceed in Habeas Corpus.

March 4, 2008
Date

BRUCE RIFKIN
Clerk

s/CM Gonzalez
Deputy Clerk